

**REGULAR MEETING OF THE JASPER COUNTY BOARD OF COMMISSIONERS**  
**August 3, 2015**

The Jasper County Board of Commissioners met this date at 8:15 A.M. in the Commissioners' Room, Suite 202, of the Jasper County Courthouse located at 115 West Washington Street, Rensselaer, Indiana, with the following members present: Kendell Culp, Richard E. Maxwell and James A. Walstra. Also present was Auditor, Kimberly K. Grow; Deputy Auditor, Donna J. Horner; Highway Engineer/Supervisor, Jack R. Haberlin and the Attorney who represents the Commissioners, Eric Beaver. The meeting was called to order and those present stood and recited the Pledge of Allegiance led by Pat Donnelly, Veteran Service Officer.

CLAIMS: Mr. Walstra asked Mr. Haberlin if the claim from Segal's Delta Trucking on page 20 for sand was all for sandbagging? Mr. Haberlin replied that some of it was used for sandbags. We used a lot of it for cold patch. In response to the question as to whether or not the sand would be reimbursable, Karen Wilson, Emergency Management Director, replied that the State is currently collecting dollar amounts of damage. The last information received was that the dollar amount statewide is not large enough to ask for a FEMA Declaration. If that remains the case, then no, there will not be any kind of FEMA reimbursement. Mr. Walstra made the motion to approve the claims as submitted. Mr. Maxwell seconded and the motion carried.

PAYROLL CLAIM & ALLOWANCE DOCKETS: Mr. Maxwell made the motion to approve the Payroll Claim & Allowance Dockets for the check dates equal to July 15, 2015 and July 27, 2015. Mr. Walstra seconded and the motion carried.

MINUTES: Mr. Walstra made the motion to approve the Minutes of the Regular Meeting held on July 9, 2015 and the Executive Session held on July 27, 2015. Mr. Maxwell seconded and the motion carried.

BURIED CABLE PERMITS: Mr. Maxwell made the motion to approve the following buried cable permit submitted by CenturyLink. Mr. Walstra seconded and the motion carried.

CENTURYLINK:  
ACT #15090578

For the purpose of placing new service at 2720W 1450N in Wheatfield Township. There is no tile in the area.  
(Permit #704)

HAZARD MITIGATION PLAN: Karen Wilson, Emergency Management Director, submitted the 2013 Pre-Disaster Mitigation Grant Program State-Local Agreement for approval. The total amount of the project is \$18,490.00. The grant award amount is \$13,867.50. The local match, which does not consist of actual dollars, amounts to \$4,622.50. The grant money will be used to update the County's Hazard Mitigation Plan. The plan should be updated every 3-4 years. Our last plan was updated in 2009. Mr. Walstra made the motion to approve the Hazardous Mitigation Grant Program Agreement. Mr. Maxwell seconded and the motion carried.

EMA CONFERENCE: Karen Wilson requested permission to attend the EMA Conference in Indianapolis on October 20-23. Expenses would include two (2) nights of hotel lodging. The county vehicle will be used. Mr. Maxwell made the motion to approve the request. Mr. Walstra seconded and the motion carried.

REQUEST TO LOWER SPEED LIMIT / CR 600W: Jayme Curry, concerned citizen, stated that the speed limit is currently 55 mph on CR 600W located between SR 10 and CR W 1100N. A petition was submitted on behalf of the residents on CR 600W requesting that the speed limit be reduced to 35 mph on this stretch of road. Several families with small children, Head Start, the Robert A. Fase Education & Senior Center, a soccer field, and the Jasper County Recycling Center are located within this stretch of road. The speed limit on CR 600W located between W 1100N and W 1000N has already been reduced to 35 mph. Mr. Walstra agreed that there is a lot of traffic in that area and that a reduction in speed would be a good idea. Mr. Haberlin requested some time to research the area. Mr. Walstra made the motion to proceed with an advertisement for a public hearing. Mr. Maxwell seconded and the motion carried.

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NIPSCO / ROAD RELOCATION: Kevin Sayers, Turning Point Surveying, provided an estimate for land surveying and design services in regards to the relocation and extension of County Roads 250 East and 1450 North for the NIPSCO expansion. To summarize the project, Mr. Sayers would be performing the necessary field work and design to determine the location of the future County Road 250 East, which at the time of the relocation will be known as County Road 300 East. This will involve the extension of County 1450 North for a half of a mile to the East. This relocation will allow for NIPSCO to expand its facility without impacting a county road, improving the safety of the plant and the public. Mr. Maxwell made the motion to approve the contract with Turning Point Surveying, Inc. for the engineering services for the relocation of CR 250E. Mr. Walstra seconded and the motion carried.

REQUEST TO CLOSE SECTION OF ROAD / W 1600S: Matt Parr, NIPSCO, stated that they are in the process of redoing their regulator station on W 1600S. Temporary construction easements have been purchased to the south and to the east from the landowner; however, this still does not give us a lot of room on the north side where it butts up against the road. Mr. Parr has spoken with the only resident on the stretch of road between 980W and 880W in regards to today's request for a road closure. The resident did not have any issue with the request. The request is to be able to close this section of road down through either August 28 or September 5. Mr. Maxwell stated that he would not have a problem with the one mile of road being closed; however, he wouldn't want it closed any further than that. Mr. Maxwell made the motion to approve the closure of CR W 1600S between 880W and 980W through the end of the month. Mr. Walstra seconded and the motion carried.

CORONER / UPDATE: Andy Boersma, Coroner, reported that we have had 53 coroner's cases to date. It is likely that we will be approaching the Council at the end of the month for some additional appropriations. Mr. Boersma asked if any decisions had been made in regards to the generator? Some discussion took place.

PRELIMINARY ASSESSMENT / JASPER COUNTY COURTHOUSE: Mathew Klok, EMCOR, distributed a Preliminary Assessment in preparation for a potential Guaranteed Savings Contract on the Jasper County Courthouse. The assessment consists of an evaluation of the Heating, Ventilation and Air Conditioning, Building Envelope and Lighting. Mr. Klok stated that ECM (Energy Conservation Measure) 1.0 and 1.1 would get you a start in the building from a temperature control standpoint. The first line item is the mainframe computer to run the building control system along with wiring the building to add temperature controls in the future. It is essentially the backbone of the system to be able to tie this and the jail together remotely and be able to have a computer run the temperature controls. The second line item is to tie the third floor system into the head end for the Building Management System (BMS) and the main trunk wiring required to put systems online as they are replaced. From this point, you can start replacing the chiller plant, boiler plant and fan coil units. In response to a question from Mr. Culp, Mr. Klok replied that the first two steps get you set up to add in the future line items. The reason why we proposed starting the way we did is that the 3<sup>rd</sup> floor has newer equipment; however, it has an obsolete control system. Mr. Culp expressed concern with the hardware becoming obsolete if we are not able to move forward within the next five years. Mr. Klok replied that, at this time, he does not believe that the hardware will become obsolete. In regards to the energy savings, Mr. Klok stated that they would be slight to begin with. The major energy components are the boiler plant, chiller plant, fan coil units, and new windows. If we choose to continue, Mr. Culp asked what the next step would be? Mr. Klok replied that we would come back with the final pricing and a contract. Mr. Maxwell stated that he would like to check the financials before making a final decision. Mr. Klok stated that he could provide the final figure prior to the next meeting which would allow time to review the financials.

LAKE HOLIDAY LOTS / TAX SALE: Carla Anderson, Treasurer, explained that Edwin Nobel has contacted her office several times in regards to the possible purchase of some of the lots located at Lake Holiday. Glen Luedtke, Client Services Director / SRI, explained that the County has very limited ability of doing anything with the lots. There are 67 properties that are on the tax sale this year for Lake Holiday. Of that, 60 of the properties have been on three or more sales. Mr. Luedtke distributed a review of the counties that have done certificate sales in the last three years. When they do not sell on a tax sale, we are seeing that about 53% - 55% of the properties that are offered sell through certificate sales. Of that, between 70% - 80% are either getting redeemed or getting a tax deed. The law indicates that if you have a certificate sale, you lower the price of what the property was last offered; however, it has to cover the cost of doing the sale.

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LAKE HOLIDAY LOTS / TAX SALE CON'T: The cost of doing a live certificate sale will include the advertising for three consecutive weeks as well as the fee charged by SRI which is 15% of whatever sells. Mr. Walstra stated that the current owner probably has maintenance obligations for these lots that have not been paid. Where does that fit in? Mr. Luedtke replied that they are not recorded with the County Recorder; therefore, they are not on the lien. According to the law, all liens that have been covered are supposed to be removed from the property once the tax deed is issued; however, since these are not recorded and part of the lien that doesn't mean that they are removed. I don't know what kind of arrangement or authority the park owner has to require these back amounts to be paid in order to transfer the property. Mr. Nobel explained that he originally had attended an auction to purchase the Lake Holiday Mobile Home Park. An offer was made towards the purchase; however, after some negotiating, the owner of the mobile home park changed his mind. Mr. Nobel and his partner expressed interest in purchasing the lots that are currently on tax sale; however, concern was expressed in regards to the possible maintenance fees. Realistically, why would someone purchase a lot that is essentially landlocked? Mr. Culp clarified with Mr. Luedtke that the County is not selling the property. There is just a tax lien, correct? Mr. Luedtke replied, "Correct". Mr. Culp stated that if the tax lien is cleared up with us, we have nothing to do with the prospective buyer in our capacity. We cannot control the sale of the lots. We can control the taxes that are owed and we do have the capacity to negotiate that. After further discussion, the decision was made to proceed with a possible certificate sale following the tax sale on October 1.

RADIO COMMUNICATIONS TOWER: Sheriff Risner was present with representatives from the Indiana Public Safety Council, RA-COMM and Motorola. Sheriff Risner stated that the current building that is located at the tower site is unsatisfactory and not able to be brought up to code. The price quote does include a portable building that meets the requirements. Sheriff Risner has set aside money from the drug fund that can allocate for our usage of the tower system. There will be reoccurring costs such as the rental of the tower space and some maintenance issues. Mr. Culp asked if they would be willing to grant an easement? Sheriff Risner replied that, as part of the deal, the Indiana Public Safety Commission (IPSC) has to have the ability to get to the system. We would basically have a lease agreement. Mr. Culp expressed concern about the ownership. Sheriff Risner replied that the P25 upgrade system is a 20-year program. With the amount of money we are investing into the sight, there should be some type of eminent domain clause. Dave Wise, Executive Director of the Integrated Public Safety Commission, stated that they have leases with every private vendor. We have 153 sites across the state. Out of these, approximately 2/3 is with a private vendor. Discussion took place in regards to the financing of the project. Mr. Maxwell made the motion to proceed with a contract with the owner of the tower as well as the contract for the purchase of hardware. Mr. Walstra seconded and the motion carried.

SHERIFF / INDIANA HOUSE BILL 1269: Sheriff Risner stated that, in the language under Section 7 of Indiana House Bill 1269, the Sheriff shall look at enrollment in Medicaid for anyone incarcerated over 30 days. This would also apply to mental health and/or substance abuse. The effective date is September 1, 2015. Sheriff Risner stated that he believes that this is going to add cost to the taxpayer rolls as well as a huge workload to try to implement it. Quality Correctional Care, our current medical provider at the jail, is looking at setting up to have a system in place to facilitate this so that it does meet the statute requirement. Sheriff Risner stated that he does not currently have the means or the manpower to enroll people into the Medicaid and mental health system.

PERMISSION TO REPLACE POSITION / SHERIFF: Sheriff Risner reported that Detective Matt Myers has submitted a letter of resignation. Permission was requested to refill the merit position. Mr. Maxwell made the motion to approve the request. Mr. Walstra seconded and the motion carried.

TOURISM COMMISSION / APPOINTMENT: Kevin Kelly, Economic Development Director, was present to request that the Commissioners fill a vacancy on the Tourism Commission. Lori Hamilton, the previous appointment, has moved out of the area. Mr. Kelly recommended that the vacancy be filled by Linda Abramson, General Manager of the Super 8 Motel. Ms. Abramson would fill the remainder of the 2-year term expiring 12/31/15. Mr. Walstra made the motion to appoint Linda Abramson to the Jasper County Tourism Commission for the remainder of the 2-year term. Mr. Maxwell seconded and the motion carried.

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FEDERAL AUDITS / GRANTS: Attorney Beaver stated that the Department of Justice will do audits to ensure that the counties are compliant with the grants. Through this process they have tightened up and really expanded their scope of what they want local governments to be doing. During a finding and audit, some basic issues were found with the 2012 audit term. One of the issues was the requirement for the county to have written procedures for how money is handled within the county. This procedure is county-wide and does not apply just to grants. Another point found was that we needed to have procedures that comply with the federal requirements. Attorney Beaver stated that he had requested guidance back in April from the Federal Auditor asking what the federal requirements are. There are different ways that the procedures can be developed as well as implemented. After further research, Attorney Beaver suggested that the Commissioners pass an ordinance setting forth what the procedures are. Input would be needed from the various departments in regards to how they manage their funds. Attorney Beaver stated that he will survey the various department heads within the county over the course of the next few weeks to determine all of the processes involving money.

FINANCIAL SOFTWARE / AUDITOR: Attorney Beaver reported that the LOW contract was signed last month. There will not be a conversion of data with this contract. They will be starting fresh with all of the input. Attorney Beaver expressed some concern with the county losing access to information with the termination of the GUTS contract. A formal notice should be given to GUTS about the cancellation of the CYMA subscription and contract. With that notice, we would say that we expect an orderly transition out of the project to maintain the county's data. Normally under these contracts, the county will own the raw data.

COUNTY CODE / UPDATE: Attorney Beaver gave an update on the intersection of SR 14 and US 231. There have been several complaints regarding the noise caused by engine breaking. In speaking with a contact at the LaPorte branch of INDOT, Attorney Beaver stated that he had stated that it's INDOT's legal position that it's more in the line of a regulation of noise ordinance rather than a regulation of traffic. The county would be able to erect signs after the passage of an ordinance. Attorney Beaver stated that the problem that he has run into is a bigger issue that has been lingering. While reviewing some of the older ordinances, they refer to "Jasper County Code of 1983" which appears to have been updated in 1988. A code is a collection of all of the ordinances that have been passed. Attorney Beaver stated that the current code is outdated and it is something that we really should have going forward where we can look at penal provisions and enforcement. There is actually a statute that does give the Commissioners the duty to do a compilation of the ordinances. Approval was given for Attorney Beaver to proceed further.

RESOLUTION / FIDLAR TECHNOLOGIES: Attorney Beaver presented a Resolution stating that the Three-Year Land Records Life Cycle Extension agreement between Fidlar Technologies and Former Jasper County, Indiana Recorder Phyllis Lanoue, purporting to act on behalf of Jasper County, Indiana, is ratified by the Board of Commissioners of the County of Jasper on behalf of Jasper County, Indiana. Mr. Maxwell made the motion to approve **Resolution 8-03-2015**. Mr. Walstra seconded and the motion carried.

TIMBER TRAILS SUBDIVISION / PAVING REQUEST: On behalf of the residents of Timber Trails Subdivision, Janet Murga submitted a petition to have the service road located just west of SR 49 paved as soon as possible. Mr. Culp will take a look at the road.

EMPLOYEE BOND: Mr. Maxwell made the motion to approve the employee bond for Donna J. Horner, Deputy Auditor. Mr. Walstra seconded and the motion carried.

OKTOBERFEST / PERMISSION TO USE GROUNDS: Main Street Rensselaer has requested the use of the west lawn of the Courthouse on Saturday, September 26 for the annual OktoberFest event which takes place on South Van Rensselaer Street. As in the past, part of the fence surrounding the event will be installed on the Courthouse lawn. Mr. Maxwell made the motion to approve the request. Mr. Walstra seconded and the motion carried.

CLERK / FALL DISTRICT MEETING: Vickie Bozell, Clerk, requested approval for herself and one deputy to attend the Fall District Clerk Association Meeting in LaPorte on September 9 and 10. The costs incurred will be registration fees, lodging and meals. The county vehicle will be used. Mr. Walstra made the motion to approve the request. Mr. Maxwell seconded and the motion carried.

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PLANNING & DEVELOPMENT / TRAINING: Mary Scheurich, Director / Planning & Development, requested permission to attend a training class sponsored by the Indiana Association of Building Officials in Brownsburg on August 27. The cost of the seminar is \$75.00. The county car will be used if available.

Ms. Scheurich would also like to attend the Schneider Corporation User Meeting on September 17 in Indianapolis. There is no cost for the meeting. Once again, the county car will be used if available. Mr. Walstra made a motion to approve both requests. Mr. Maxwell seconded and the motion carried.

ASSESSOR / SUMMER CONFERENCE: Dawn Hoffman, Assessor, requested permission to attend the Assessor Summer Conference August 25-28 in Indianapolis. Expenses include the registration fee, hotel and meals. The county car will be requested. Mr. Maxwell made the motion to approve the request. Mr. Walstra seconded and the motion carried.

CIRCUIT COURT / SECURITY OFFICER TRAINING: Wayne Simmons will be attending a one-day conference for Security Officer Training on Friday, September 11 in Indianapolis. Mr. Walstra made the motion to approve. Mr. Maxwell seconded and the motion carried.

TRIAL COURT PERSONNEL CONFERENCE: Alison Hickman, Circuit Court, as well as Terri Budde, Betty Kosta, and Theresa Lakin, Superior Court, attended a Trial Court Personnel Conference in Indianapolis on July 14.

PAYMENT REQUEST / ETICA GROUP: Mr. Haberlin submitted an application payment request on behalf of the Etica Group for the waterproofing of the Courthouse.

FROST LAWS: In speaking with Porter County about their frost law, Mr. Haberlin stated that the reason farmers are exempt in their county is because of Indiana Code. Mr. Haberlin questioned that, if this is true, will we need legislatures to change State Code? Attorney Beaver replied that we can supersede the State Law unless it requires an exemption for agriculture purposes. Mr. Haberlin stated that other exemptions mentioned were garbage trucks and school busses.

SOFTWARE / HIGHWAY DEPARTMENT: Mr. Haberlin reported that we will probably need to get a little more money out of the Cumulative Fund for the software. When the Auditor's office switched to new financial software, all of the fund numbers were changed. The Highway department will now need to adapt to these new numbers which will most likely result in additional charges.

DEMOTTE REDEVELOPMENT COMMISSION / APPOINTMENT: Mr. Maxwell made the motion to appoint Jim Walstra to the DeMotte Redevelopment Commission. Mr. Culp seconded and the motion carried.

There being no further business, Mr. Maxwell made the motion to continue the meeting until Monday, August 17 on an as needed basis only. Mr. Walstra seconded and the motion carried.

JASPER COUNTY BOARD OF COMMISSIONERS:

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Kendell Culp, President

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James A. Walstra, Vice President

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Richard E. Maxwell, Member

ATTEST:

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Kimberly K. Grow, Jasper County Auditor

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